



#4

Attorney Docket No. 21459/90913

Serial No. 09/821,726

### DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought in the application entitled:

GASTROKINES AND DERIVED PEPTIDES INCLUDING INHIBITORS

the specification of which  
(check one)

       is attached hereto.  
  X   was filed on March 29, 2001 as  
United States Application Serial No. 09/821,726 or  
PCT International Application No.                       
and was amended on                                       
(if applicable)

I hereby declare that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate on which priority is claimed (as listed below) and I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s) Priority Claimed

<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	<u>      </u> Yes	<u>      </u> No
<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	<u>      </u> Yes	<u>      </u> No

I hereby claim benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

<u>                                    </u> Application Number	<u>                                    </u> Filing Date
<u>                                    </u> Application Number	<u>                                    </u> Filing Date

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(b) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>                                    </u> (Application Serial No.)	<u>                                    </u> (Filing Date)	<u>                                    </u> (Status: patented, pending, abandoned)
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Attorney Docket No. 21459/90913

Serial No. 09/821,726

(Application Serial No.)

(Filing Date)

(Status: patented, pending, abandoned)

I hereby appoint William R. Coffey, Reg. No. 24023; Richard D. Conard, Reg. No. 27321; Steven R. Lammert, Reg. No. 27653; Richard A. Rezek, Reg. No. 30796; Timothy E. Niednagel, Reg. No. 33266; Nancy J. Harrison, Reg. No. 27083; Dilip A. Kulkarni, Reg. No. 27510; David B. Quick, Reg. No. 31993; Jill T. Powlick, Reg. No. 42088; Steven A. Church, Reg. No. 43550; Perry Palan, Reg. No. 26213; Mark M. Newman, Reg. No. 31472; Bobby B. Gillenwater, Reg. No. 31105; Paul B. Hunt, Reg. No. 37154; Robert D. Null, Reg. No. 40746; Alice O. Martin, Reg. No. 35601; Thomas J. Donovan, Reg. No. 33231; Grant H. Peters, Reg. No. 35977; Mark A. Hamill, Reg. No. 37145; Michael Allen, Reg. No. 37582; and Gregory S. Cooper, Reg. No. 40965, as attorneys of record with full power of substitution and revocation, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith, and I specify that communications regarding the application be directed to:

**BARNES & THORNBURG**

2600 Chase Plaza  
10 South LaSalle Street  
Chicago, Illinois 60603  
Telephone (312) 214-8316  
Fax (312) 759-5646

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Terence Martin

**Full Name of Sole or First Joint Inventor**

Australia

**Country of Citizenship**

Inventor's Signature

Date

5300 South Shore Drive, Apt. 31

Chicago, Illinois 60615

**Residence and Post Office Address**

F. Gary Toback

**Full Name of Second Joint Inventor**

F. Gary Toback  
**Inventor's Signature**

United States

**Country of Citizenship**

6 July 2001  
**Date**

6948 Constance Avenue

Chicago, Illinois 60649

**Residence and Post Office Address**

Attorney Docket No. 21459/9091



Serial No. 09/821,726

C. Thomas Powell

**Full Name of Third Joint Inventor**

United States

**Country of Citizenship**

Inventor's Signature

Date

2 Bratenahl Place, Unit 5A

Bratenahl, Ohio 44108

**Residence and Post Office Address**

Kan Agarwal

**Full Name of Forth Joint Inventor**

United States

**Country of Citizenship**

Inventor's Signature

Date

5530 S. Lake Shore Drive

Chicago, Illinois 60637

**Residence and Post Office Address**

Attorney Docket No. 21459/90913



RECEIVED

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BARNES & THORNBURG

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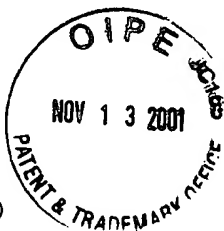
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Inventor's Signature

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Country of Citizenship

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Attorney Docket No. 21459/90913



Serial No. 09/821,726

C. Thomas Powell

**Full Name of Third Joint Inventor**

C. Thomas Powell

**Inventor's Signature**

2 Bratenahl Place, Unit 5A

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**Residence and Post Office Address**

United States

**Country of Citizenship**

7/30/2001

**Date**

Kan Agarwal

**Full Name of Forth Joint Inventor**

**Inventor's Signature**

5530 S. Lake Shore Drive

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**Country of Citizenship**

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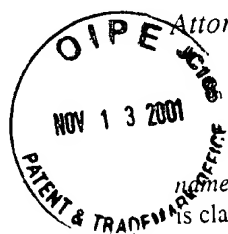
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Australia

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Chicago, Illinois 60615

**Residence and Post Office Address**

F. Gary Toback

**Full Name of Second Joint Inventor**

United States

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Date

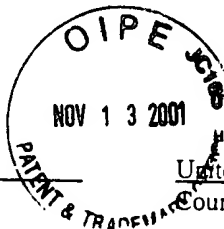
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Attorney Docket No. 2143 90913

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Full Name of Third Joint Inventor

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CHDS01 AOM 102919v1